

## **REMARKS**

The present Amendment is in response to the Examiner's Office Action mailed January 12, 2007. Claims 11, 17-23, 25, 26-27 (first occurrence), 37, and 64 are cancelled, claims 1, 24, 26, 36, and 55 are amended, and new claims 72-85 are added. Claims 1-7, 9-10, 12-16, 24, 26-36, 38-63, and 65-85 are now pending in view of the above amendments.

Reconsideration of the application is respectfully requested in view of the above amendments to the claims and the following remarks. For the Examiner's convenience and reference, Applicant's remarks are presented in the order in which the corresponding issues were raised in the Office Action.

### **I. General Considerations**

Applicant notes that the remarks and amendments presented herein have been made merely to clarify the claimed embodiments from elements purported by the Office Action to be taught by the cited references. Such remarks, or a lack of remarks, and amendments are not intended to constitute, and should not be construed as, an acquiescence, on the part of the Applicants: as to the purported teachings or prior art status of the cited references; as to the characterization of the cited references advanced by the Office Action; as to whether it is proper to combine any cited references; or as to any other assertions, allegations or characterizations made by the Office Action at any time in this case. Applicants reserve the right to challenge the purported teaching and prior art status of the cited references, as well as whether it is proper to combine the cited references, at any appropriate time.

In addition, the remarks herein do not constitute, nor are they intended to be, an exhaustive enumeration of the distinctions between any cited references and the claimed invention. Rather, the distinctions identified and discussed herein are presented solely by way of example. Consistent with the foregoing, the discussion herein is not intended, and should not be construed, to prejudice or foreclose contemporaneous or future consideration, by the Applicants, of additional or alternative distinctions between the claims of the present application and the references cited by the Office Action, and/or the merits of additional or alternative arguments.

## **II. Claim Objections**

The Examiner on page 2 of the Office Action objected to the fact that claim numbers 26 and 27 were used twice. Examiner noted that the second occurrence of claim number 26 and 27 were used for prosecution of the dependent claims 28-32.

Applicant contacted Examiner to verify that it is the first occurrence of claim 27 that is mentioned in the allowable subject matter section on page 2 of the Office Action. Accordingly, Applicant has cancelled the first occurrence of claims 26 and 27, while retaining the numbering of the second occurrence of claims 26 and 27 and respectfully requests that the objection be withdrawn.

Applicant also notes for the record that a claim 8 does not appear to have been originally filed. However, this inadvertent omission has no effect on the dependencies of the remaining claims.

## **III. Allowed Subject Matter**

The Examiner on page 2 of the Office Action has indicated that claims 11, 14-16, 27 (first occurrence), 37-38, 44, 46-47, 58, and 64 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, Applicants have rewritten independent claim 1 so as to include all of the limitations of originally filed claim 11. In particular, the scope of amended claim 1 (i.e., the scope of originally filed claim 11) has not been narrowed in any way so as to overcome any prior art, but has merely been rewritten to include the limitations of originally filed claim 11. As acknowledged by the Examiner, amended claim 1 is patentably distinct from the prior art, and is now in a condition for allowance. Moreover, for at least the same reason, claims now depending from claim 1 – namely, claims 2-7, 9-10, and 12-16 – are also in a condition for allowance.

Similarly, independent claim 24 has been rewritten so as to incorporate all of the limitations of originally filed claim 27 (first occurrence). In particular, the scope of amended claim 24 (i.e., the scope of originally filed claim 27 (first occurrence)) has not been narrowed in any way so as to overcome any prior art, but has merely been rewritten to include the limitations of originally filed claim 27 (first occurrence). As acknowledged by the Examiner, amended claim 24 is patentably distinct from the prior art, and is now in a condition for allowance.

Further, for at least the same reason as stated by the Examiner, claims depending from claim 24—namely, claims 26-27 (second occurrence) and 28-35— are also in a condition for allowance. Please note that an amendment has been made to claim 26 (second occurrence) to insure correct antecedent basis due to the amendment of claim 24 and cancellation of claim 25. Accordingly, the scope of this claim has not been narrowed in any way so as to overcome any prior art.

Likewise, independent claim 36 has been rewritten so as to incorporate all of the limitations of originally filed claim 37. In particular, the scope of amended claim 36 (i.e., the scope of originally filed claim 37) has not been narrowed in any way so as to overcome any prior art, but has merely been rewritten to include the limitations of originally filed claim 37. As acknowledged by the Examiner, amended claim 36 is patentably distinct from the prior art, and is now in a condition for allowance. Further, for at least the same reason as stated by the Examiner, claims depending from claim 36— namely, claims 38-54— are also in a condition for allowance.

Furthermore, independent claim 55 has been rewritten so as to incorporate all of the limitations of originally filed claim 64. In particular, the scope of amended claim 55 (i.e., the scope of originally filed claim 64) has not been narrowed in any way so as to overcome any prior art, but has merely been rewritten to include the limitations of originally filed claim 64. As acknowledged by the Examiner, amended claim 55 is patentably distinct from the prior art, and is now in a condition for allowance. Further, for at least the same reason as stated by the Examiner, claims depending from claim 55— namely, claims 56-63 and 65-71— are also in a condition for allowance.

In addition, a new claim 72 has been added that incorporates all of the limitations of the originally filed claim 14. In particular, the scope of new claim 72 (i.e., the scope of originally filed claim 14) has not been narrowed in any way so as to overcome any prior art, but has merely been written to include the limitations of originally filed claim 14. As acknowledged by the Examiner, new claim 72 is patentably distinct from the prior art, and is now in a condition for allowance. Further, for at least the same reason as stated by the Examiner, claims depending from claim 72— namely, claims 73-85— are also in a condition for allowance.

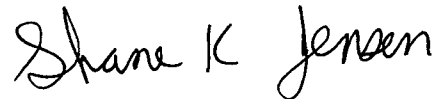
In summary, claims 1-7, 9-10, 12-16, 24, 26-36, 38-63, and 65-85 are now pending in view of the above amendments, and all are patentably distinct from the prior art. Allowance of each of these claims is respectfully requested.

**CONCLUSION**

In view of the foregoing, Applicant believes that he has addressed every issue raised in the Office Action and has put the claims in allowable form. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, or which may be overcome by an Examiner's Amendment, the Examiner is requested to contact the undersigned attorney.

Dated this 10th day of May, 2007.

Respectfully submitted,

A handwritten signature in black ink that reads "Shane K Jensen". The signature is written in a cursive, flowing style.

ERIC L. MASCHOFF  
Registration No. 36,596  
SHANE K. JENSEN  
Registration No. 55,301  
Attorneys for Applicant  
Customer No. 022913  
Telephone: (801) 533-9800

W:\15436\902.1\ML0000005488V001.doc